



PLANNING DIRECTOR'S HEARING AGENDA

WEDNESDAY, August 16, 2006

9:00 a.m.
City Council Chambers
City Hall

200 East Santa Clara Street
San Jose, California 95113-1905

Hearing Officers

Susan Walton, Principal Planner

Mike Enderby, Acting Principal Planner

**Joseph Horwedel, Acting Director
Planning, Building, and Code Enforcement**

NOTE

To arrange an accommodation under the Americans with Disabilities Act to participate in this public meeting, we ask that you call (408) 535-7800 (VOICE), 294-9337 (TTY) at least two days, (48 hours) before the meeting. If you requested such an accommodation and have not already identified yourself to the technician seated at the staff table, please do so now. If you did not call in advance and do now need assistance, please see the technician.

NOTICE TO THE PUBLIC

Good morning, this is the Planning Director's Hearing of **August 16, 2006**. My name is _____ and I am the Hearing Officer for today's agenda. On behalf of the Planning Director, I would like to welcome you to this Public Hearing. Please remember to turn off all cell phones and pagers. A copy of the agenda is available on the table by the door for your convenience. A validation machine is available up the stairs at the rear of these chambers for parking tickets for the garage underneath City Hall.

The procedure for this hearing is as follows:

- Hearing Officer will identify the project as described on the agenda
- Staff report
- After the staff report, applicant and/or representative will have up to 5 minutes to speak and should make themselves known as their item comes up by approaching the microphone and identifying themselves and stating their home address, or just wave from the audience if you do not wish to speak
- Public testimony of up to 2 minutes, either for or against the project. Please state name and home address for the record
- After the public testimony, the applicant may make closing remarks of up to 5 minutes
- The Hearing Officer may ask questions of the speaker
- The public hearing will then be closed and the Hearing Officer will take action on the item. The Hearing Officer may request staff to respond to the public testimony, ask staff questions, and discuss the item

If you challenge these land use decisions in court, you may be limited to raising only those issues you or someone else raised at this public hearing or in written correspondence delivered to the City at, or prior to, the public hearing.

The Planning Director's action on these agenda items is final when the permit is signed and mailed, unless the permit is appealed. The Planning Director's actions are appealable in accordance with the requirements of Title 20 of the Municipal Zoning Code.

Note: If you have any agenda changes, please contact Gina Robles (gina.robles@sanjoseca.gov).

AGENDA

ORDER OF BUSINESS

1. DEFERRALS

Any item scheduled for hearing this morning for which deferral is being requested will be taken out of order, to be heard first on the matter of deferral. A list of staff recommended deferrals is available on the table. I will identify the items to be deferred and then ask for comments from the audience. If you want to change any of the deferral dates recommended or speak to the question of deferring these or any other items, you should say so at this time. I will now open the public hearing. The following items are proposed to be deferred.

The matter of deferrals is now closed.

2. CONSENT CALENDAR

NOTICE TO THE PUBLIC

The consent calendar items are considered to be routine and will be adopted by one motion. There will be no separate discussion of these items unless a request is made by the Director of Planning, staff, or the public to have an item removed from the consent calendar and considered separately. If anyone in the audience wishes to speak on one of these items, please come to the podium at this time.

- a. SP06-045. Special Use Permit** to replace a shed with a 273 square foot accessory building for storage use, exceeding 200 square feet allowed by right, to an existing single-family residence on a 0.15 gross acre site in the R-1-8 Single-Family Residence Zoning District, located on the 1841 Emory Street (north side of Emory Street, approximately 600 feet easterly of Bascom Avenue) (Duvall Kenneth M And Jan F Trustee, Owner). Council District 6. SNI: None. CEQA: Exempt. **Deferred from 8/9/06.**
- b. TR06-065. Tree Removal Permit** to remove one Monterey Pine Tree 76" in circumference from the rear yard of an existing single-family residence on a 0.14 acre site in the R-1-8 Single-Family Residence Zoning District, located at 371 AVENIDA ARBOLES (Faul Dean L And Adrienne C, Owner). Council District 10. CEQA: EXEMPT.
- c. PDA98-052-01. Planned Development Permit Amendment** to allow retaining walls up to 3 feet 6 inches in height to an existing single-family residence on a 0.6 gross acre site in the A(PD) Planned Development Zoning District, located on the north side of Cour de Charles, approximately 150' easterly of Rue Mirassou (3561 Cour De Charles) (Dan and Evelyn Burnham, Owners). Council District 8. SNI: None. CEQA: Exempt.

The consent calendar is now closed.

3. PUBLIC HEARING

- a. **TR06-051. Tree Removal Permit** request to allow the removal of one Coastal Oak tree, approximately 76 inches in circumference, on a 0.30 gross acre site in the R-1-5 Single-Family Residence Zoning District, located on the north side of Dry Creek Road, approximately 1,800 feet south easterly of Meridian Avenue (2263 Dry Creek Road) (Constantino Frank Et Al, Owner). Council District 6. CEQA: Exempt. **Deferred from 7/26/06.**
- b. **PD05-016. Planned Development Permit** to allow grading and construction of approximately 299,740 square feet for commercial uses on a 19.59 gross acre site in the A(PD) Planned Development Zoning District, located on the north side of Story Road approximately 720 feet southwesterly of McLaughlin Avenue (915 Story Road) (Hewlett-Packard Co, Owner). Council District 7. SNI: None. CEQA: Mitigated Negative Declaration (PDC04-045). **Deferred from 8/9/06.**
- c. **PD06-032. Master Planned Development Permit** to allow the re-configuration of an existing campus industrial facility including revisions to the site circulation, and the installation of new landscaping, fencing and associated improvements on a 160.6 gross acre site in the A(PD) Planned Development Zoning District, located in the area generally bounded by Cottle Road, Monterey Highway, Highway 85 and Manassas Rd (5600 COTTLE RD) (Hitachi Global Storage Techs Inc, Owner). Council District 2. SNI: None. CEQA: Addendum to EIR.
- d. **PDA05-017-01. Planned Development Permit Amendment** to extend the operating hours for a previously approved indoor recreation use from 6:00 am to 12:00 midnight to 5:00 AM to 12 midnight on a 16.4 gross acres site in the IP(PD) Planned Development Zoning District, located at/on the southwest corner of Hellyer Avenue and Embedded Way (800 EMBEDDED WY) (Maverick Embedded Way, Llc, Owner). Council District 2. SNI: None. CEQA: Exempt.
- e. **PD06-034. Planned Development Permit** to allow the construction of an approximately 1,500 gallon oxygen tank with associated enclosure on an existing hospital facility site in the A (PD) Planned Development Zoning District, located on the northeast corner of Santa Teresa Boulevard and Cottle Road (274 INTERNATIONAL CL) (Kaiser Foundation Hospitals, Owner). Council District 2. SNI: None. CEQA: Addendum to EIR.
- f. **SF05-009. Single Family House Permit** to allow a second story and rear addition, totalling 1,390 square feet with an FAR of .63, to an existing single story single family detached house and the construction of a two car detached garage with additional 450 additional square feet of storage space in the R-1-8 Single-Family Residence Zoning District, located at on the 1754 Ellen Avenue (Marshall Juarez, Owner). Council District 6. SNI: None. CEQA: Exempt.
- g. **SP06-033. Special Use Permit** to allow the construction of a 675 square foot two-car detached garage, with a 640 square foot associated workshop on a 0.45 gross acre site in the R-1-8 Single-Family Residence Zoning District, located on the west side of Newport Avenue, approximately 490 feet southerly of Minnesota Avenue (1475

NEWPORT AVE) (Woodward Robert L And Maria S, Owner). Council District 6. SNI: None. CEQA: Exempt.

- h. **H06-012. Site Development Permit** to demolish an existing structure and construct a 3000 square foot commercial building on a 0.16 gross acre site in the CP Pedestrian Commercial Zoning District, located on the southwest corner of North Bascom Avenue and Bailey Avenue, approximately 520 feet north of West San Carlos Street (77 N BASCOM AV) (Abtahi Hamid Et Al, Behrooz Aram, Owner/Developer). Council District 6. SNI: Burbank/Del Monte. CEQA: Exempt.
- i. **TR06-042. Tree Removal Permit** to remove one 74-inch Redwood tree and one 96-inch Acacia tree in the R-1-8 Single-Family Residence Zoning District, located at 5056 Capistrano Avenue (Abbasi Aamer And Low-Abbasi Yoke-Keng, Owner). Council District 1. CEQA: Exempt.
- j. **PT05-016. Planned Tentative Map Permit** to reconfigure two parcels into 9 lots for 218 commercial condominiums on a 19.59 gross acre site in the A(PD) Planned Development Zoning District, located on the north side of Story Road, approximately 720 feet southwesterly of McLaughlin Avenue (915 Story Road) (Hewlett-Packard Co, Owner). Council District 7. SNI: None. CEQA: Mitigated Negative Declaration (PDC04-045).

This concludes the Planning Director's Hearing for August 16, 2006. Thank you.

PLANNING DIRECTOR'S AGENDA ON THE WEB:
<http://www.sanjoseca.gov/planning/hearings/default.asp>
PUBLIC INFORMATION COUNTER
(408) 535-7800 CITY OF SAN JOSE